STATE OF HAWAII DEPARTMENT OF LAND AND NATURAL RESOURCES Land Division Honolulu, Hawaii 96813

April 28, 2006

Board of Land and Natural Resources

PSF No.:

06HD-068

State of Hawaii

Honolulu, Hawaii

Island of Hawaii

Set Aside to the County of Hawaii for Adult Day Care and Other Related Community Purposes, Piihonua, South Hilo, Hawaii, Tax Map Key: 3rd/2-3-031: Portion of 01

APPLICANT:

County of Hawaii, whose business and mailing address is 25 Aupuni Street, Hilo, Hawaii 96720

LEGAL REFERENCE:

Section 171-11, Hawaii Revised Statutes (HRS), as amended.

LOCATION:

Portion of Government lands situated at Piihonua, South Hilo, Hawaii, identified by Tax Map Key: 3rd/2-3-031: Portion of 01, as shown on the attached map labeled Exhibit A.

AREA:

Five (5) acres, more or less.

ZONING:

State Land Use District:

Urban

County of Hawaii CZO:

Residential (RS-10)

TRUST LAND STATUS:

Section 5(b) lands of the Hawaii Admission Act

DHHL 30% entitlement lands pursuant to the Hawaii State Constitution: Yes

CURRENT USE STATUS:

Vacant and unencumbered.

PURPOSE:

Adult day care and related community purposes.

CHAPTER 343 - ENVIRONMENTAL ASSESSMENT:

This action before the Board is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the Applicant shall be responsible for compliance with Chapter 343, HRS, as amended.

APPLICANT REQUIREMENTS:

Applicant shall be required to:

- 1) Process and obtain subdivision at Applicant's own cost;
- 2) Provide survey maps and descriptions according to State DAGS standards and at Applicant's own cost;

REMARKS:

The subject parcel is and has been vacant and unencumbered since the closure of Wainaku Sugar Company in the 1970s. The area is located in the urban area of Hilo and is adjacent to a core area made up of public and private health and social service agencies such as the Hilo Medical Center, Kaiser's Hilo Clinic, ARC of Hilo, Hale Anuenue Long Term Care, Hilo Oncology Center, Hawaii County Economic Opportunity Council, Hospice of Hilo, etc.

Hawaii Island Adult Day Care (HIADC) is a non-profit organization that provides adult day care services for seniors and adults that require assistance with daily activities. HIADC currently operates within the 75 year old Hilo Hospital facility that is operated by the County of Hawaii. The County of Hawaii is currently in the process of relocating its own offices out of this facility due to its deteriorating condition.

The County of Hawaii through its Office of Aging, has requested a set aside of the new subject 5 acre site and intends to work on a long term lease to HIADC who will then seek funding for the construction of a new facility (Exhibit B). Funding prospects look promising and staff has attached a conceptual site plan and narrative of HIADC's proposal and description of the project need as Exhibit C. Upon agreement on a lease and pursuant to Chapter 171-11, HRS, the County of Hawaii will be required to return to the Board for a consent to lease.

Staff feels that the request and the proposed use is appropriate due to the surrounding healthcare and social service uses. As a result of staff's earlier concern regarding the utilization of the land being requested, the County reduced their requested area from 11 acres to the current 5 acres. Staff feels comfortable that the current request fully utilizes the requested area and supports the requested set aside.

To the extent that the proposed project will require Chapter 343, HRS compliance, the proposed set aside is merely a transfer of management jurisdiction and does not constitute a use of State lands or funds, and therefore, this action is exempt from the provisions of Chapter 343, HRS, relating to environmental impact statements. Inasmuch as the Chapter 343 environmental requirements apply to Applicant's use of the lands, the County of Hawaii shall be responsible for compliance with Chapter 343, HRS, as amended.

The following is a summary of any substantive comments received in response to request for comments:

United States, Department of the Army (Army Corp.) (Exhibit D)

Comments are noted and will be forwarded to the County of Hawaii for their consideration in their planning process. Staff does not see a need for any specific conditions in response to the comments made.

County of Hawaii, Planning Department (Exhibit E)

Comments are addressed in the submittal by the inclusion of conditions that the County of Hawaii shall be responsible for subdivision and compliance with Chapter 343, HRS.

County of Hawaii, Department of Public Works (Exhibit F)

Comments are noted and will be forwarded to the County of Hawaii for their consideration in their planning for the property. Staff does not feel specific conditions are necessary in the submittal as the conditions expressed will be have to be addressed as part of the subdivision and development process.

RECOMMENDATION:

That the Board, subject to Applicant fulfilling the Applicant Requirements above, approve of and recommend to the Governor the issuance of an executive order setting aside the subject lands to the County of Hawaii under the terms and conditions cited above, which are by this reference incorporated herein and subject further to the following:

- 1. The standard terms and conditions of the most current executive order form, as may be amended from time to time;
- 2. Disapproval by the Legislature by two-thirds vote of either the House of Representatives or the Senate or by a majority vote by both in any regular or special session next following the date of the setting aside;
- 3. Review and approval by the Department of the Attorney General; and
- 4. Such other terms and conditions as may be prescribed by the Chairperson to best serve the interests of the State.

Respectfully Submitted,

Harry M. Yada

District Land Agent

APPROVED FOR SUBMITTAL:

Peter T. Young, Chairperson

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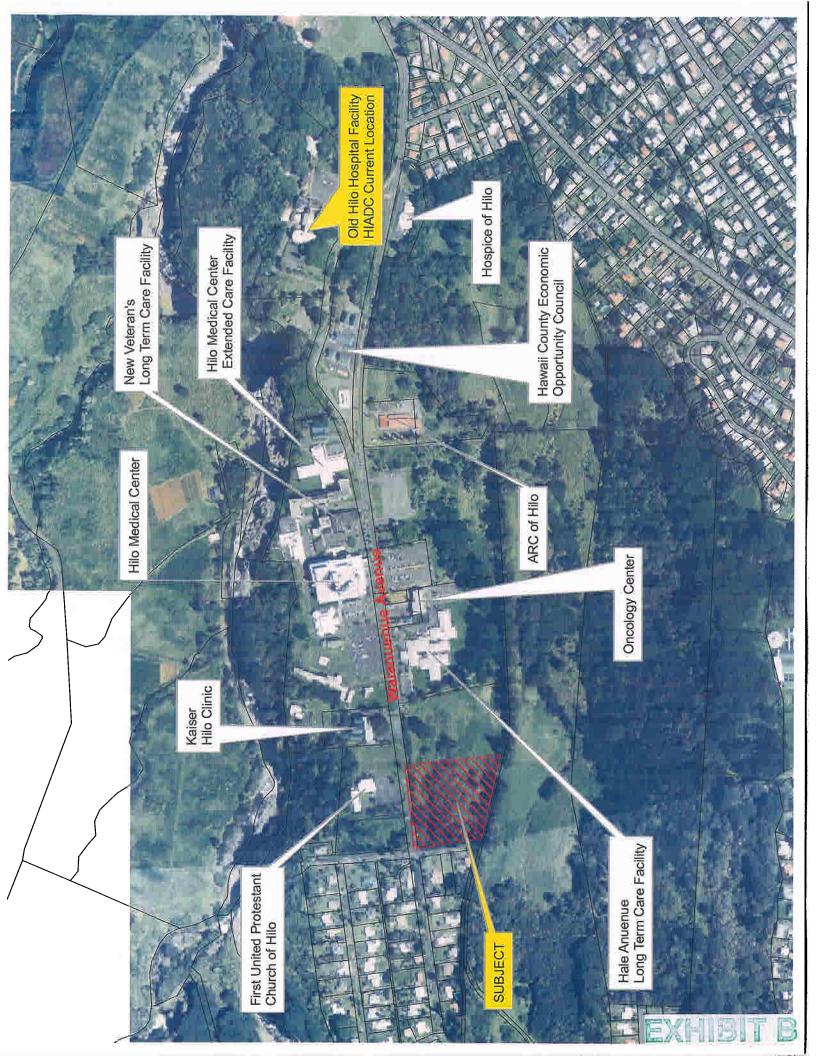
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EXHIBIT A



Project Description

The building planning committee and HIAC staff, on behalf of the HIAC Board, has initiated the development process for the new Hawaii Island Adult Day Care Center. The facility will provide a safe and caring environment plus a spectrum of quality programs designed to keep frail elderly, adults who are physically or mentally challenged and also people with dementia or Alzheminers to live in their own homes, with their spouses and family members and to help them to maintain their independence and dignity as members in the community. At the same time provide caregivers with much needed respite and a support system in caring for their loved ones.

The central location of the new facility will be within a community setting, providing an opportunity to integrate the center's programs with the surrounding high schools, university, businesses, other health care providers and the community.

Existing Facility

The existing facility is located at 34 Rainbow Drive and was once a hospital that is approximate 75 years old. HIAC presently shares the building for its program with the County Prosecutor's office and up until mid 2003 it was shared with other county agencies. The day center occupies most of the 1st floor to run its programs. The building exterior and its interior have been deteriorating to the point that renovation is not feasible and cost effective. That was the main reason why the other county agencies relocated.

Project Need

Hawaii Island Adult Day Care Center opened it's doors to the community back in 1985 as a "pilot" project, even back then someone had the insight of the need for this kind of program. Ever since then the program has grown to what it is now. Presently, we are liscensed by the State to accommodate 105 clients. On a daily bases our attendance is



between 55-70 clients a day and on special occasions we average about 82 clients. Even though we are licensed to accommodate 105 it really isn't feasible and functional anymore because of the many activities that we provide. The need for a new building is imperative because throughout the fifteen years that I have been here I have seen the steady increase in the older population that is needing some kind of care to help them with their daily needs.

Based on national and State projected census of older adults or now referred to as "the baby boomers" population, that will be needing day care services will substantially increase. With this growing need projected, HIAC has kept that in mind with the proposed project. The planned facility will be designed large enough to be licensed for 120 clients daily. That amount will be the maximum size that will enable HIAC to continue be able to provide the same type of caring quailty service that we do now and still be a cost effective business. (If the need arise for clients' needing more care, HIAC can expand to the outlining communities in way of satellite programs, to meet the needs their.)

Description of the Proposed Facility

The new facility will consist of three modules that will consist of :

Module I

Alzheimer's/Dementia Unit

This area, targeted primarily for clients that have moderate and severe Alzheimer's/dementia that would not be suited to be in the other program. This unit will be designed to meet safety concerns (especially wandering clients) and basic client care needs(this would include assistance with ambulating, feeding, toileting, changing and etc.) This secured unit will be large enough to accommodate 60 clients.

This unit will have a activity room that will be functional and at the same time designed that will have an openness for staff monitoring of clients and at the same time provide a very warm and "homey" atmosphere.

Client Sick/Isolation Room

This room will be designed to meet the needs in caring for sick clients. Large enough to have at least two hospital beds, standard beside furniture, storage for equipment and supplies and a wash basin.

Client Rest/Change Room

This room will be designed to house at least three (3) hospital style beds, standard furniture, equipment and supplies. This room will be used when client's condition needs for them to require bed rest and also to be used as a change room, when due to client's condition regular toiling is not possible.

Nurse's Office

This area will be a standard style office with office furniture and equipment and room to store client files, medical supplies and adequate medical storage space. It will be located between client sick/isolation room and client rest and change room. Will have windows that will enable Nurse to monitor.

Client Bathroom (Men & Women)

This area will be designed and focused toward handicap size spaced bathrooms. Each bathroom will have four (4) toilets. Two toilet stalls in each section will be designed to be even larger than regular size hand-cap

size toilet stalls to accommodate electric wheelchair drive-in and enough room to enable 2 nurses aides to assist client and have adequate room to move around. Will also contain the normal bathroom equipment (like basin, paper towel holder, waste containers and etc.)

Client Shower Room

This room will be located next to bathroom for accessability. It will be large enough to accommodate a wheelchair, one or two aides, a shower bench and storage space for bathing supplies. (A shower room that is functional for client/staff needs. Especially serviceable for handicap).

Staff Lunch Room

This room for staff will be where staff can go and have lunch or break. It will be equipped with icebox, Microwave, coffeemaker and standard kitchen stuff. Also cabinets for storage.

Staff Locker Room

This room will be designed with adequate space for Staff lockers, two bathrooms and a shower room. Also storage area for bathroom/shower supplies.

· Staff Work Area

This area will be designed that it will be functional; especially were staff will be able to have visual view to entire client activity areas.

· Laundry Room

This room will be off the client bathrooms. It will be large enough for a washer, dryer, work table and storage area for supplies and a water heater.

Sun Room & Wandering Path

This area will be self contained and designed for safety. It will be right outside of main activity area. Wandering path will be designed with safety in mind and for functional purposes. It will have a sense of peace and serenity feeling.

Office spaces

- Senior Helper's Program Director
 Office large enough for standard office
 furniture, equipment, storage and chairs for
 couple people for meetings.
- Training/Conference Room
 Room large enough to accommodate at least 20-30 people. Storage for equipment.
- 3. Extra Office
- Copy Room
 Room large enough to set-up copy machine, work table and storage for copy supplies.
- Janitor Closet
 Room for wash basin & storage of cleaning supplies.
- Bathroom (Men & Women)
 At least two toilets (1 regular & 1 handicap)
 and two wash basins in each bathroom.
- Hallway

This hallway will separate the Alz./Dementia Unit from the offices and training/conference rooms.

**The overall design objectives for the Alz./Dementia Unit are to create functional spaces that are easily cleaned and accommodates for the various needs of our clients. Also minimize distractions between groups and provide natural ventilation and openness to the outdoors, and above all create a friendly and cheerful non-institutional environment. The offices and conference room will be designed to be functional.

Continued

Description of the Proposed Facility

Module II

• Courtyard/Open area

This area will be between the two program buildings. It will be designed as a open area where clients, family members and visitors alike can seat. A small rock garden will be in the center with covered walkways all around. Benches will be placed at various areas.

Auditorium

This room will be designed to be multi-functional able to hold a large client population (100), as well as staff, family and friends for community celebrations. I would estimate room capacity for 200 people. Accommodations must be made for tables, chairs and wheelchairs. Activities in this room would include; meals, movies, bingo, musical performances, community presentations, social seasonal parties, caregiver conferences and etc. Will also need storage space to store extra table, chairs, audio equipment & etc.

Kitchen

This room will be designed as a licensed commercial kitchen and be equipped with regular equipment to meet standards. Also have amply storage and cabinet space.

Module III

Day Program Activity Area

This area will be designed to accommodate the day program activity area that will be large enough to have at least 60 clients at once. It will be functional to meet several

activities at once and at the same type minimize distractions between groups and provide natural ventilation and openness to the outdoors, and over all create a friendly and cheerful non-institutional environment. (Example of activities: art & crafts, ceramics, computer/Internet, listening to music, watching videos, playing cards, dominos, exercise and etc.)

Client Bathroom (Men & Women)

This area will be designed to have three(3) standard size toilet stalls and one handicap size toilet stall in both the men and women bathroom. Also, in the men's bathroom two(2) urinals. The bathrooms will also have three(3) regular standard wash basins and one handicap wash basin in each bathroom.

· Client Shower Room

This room will be located between the Men & Women bathrooms for accessibility. It will be designed to be large enough to accommodate a wheelchair and if needed two(2) aides. It will also provide space for supplies. (A shower room that is functional for clients/staff needs; especially serviceable for handicap clients.

Staff Lunch Room

This room for staff large enough to accommodate at least six(6) staff at a time. It will be equipped with icebox, microwave, coffeemaker and other standard kitchen stuff. Also cabinets for storage.

Staff Locker Room

This room will be designed with adequate space for Lockers, two bathrooms(2toliet stalls and wash basins in each). Also storage area for bathroom/shower supplies.

Ceramics Kilm Room

This room designed to meet building & fire code. Area space for kilm, small work area and storage space for supplies.

Laundry Room

This room will be off the clients bathrooms. It will be large enough for a washer, dryer, work table, wash basin, storage area for supplies and a water heater.

Sun Room & Wandering Path

This area will be right off the activity room and it will be self contained and designed for safety. It will be large enough that at least thirty(30) clients will be able to be there at a time. Area will be equipped with some table and chairs. This area will be multi-functional where it can be used for exercise, outdoor activities(ex. bowling, ball toss, music, church services & etc.) The wandering path will be designed for safety but also to encompass a peaceful beautiful environment.

• Outdoor Gardening Area

This area will be designed under a covered section off the sun room where clients can to planting either sitting down on chairs or in wheelchairs or even standing. It will have elevated planter boxes and tables to make planting easy. Storage space to keep supplies and also wash basins to wash hands and clean up. *Will also have at least two bathrooms. These will be handicap style so anyone will be able to use without needing to come all the way into the center.

Administrative Offices

This area will house a Office Assistant/Receptionist, Secretary, the Managing Director, Fiscal Officer, Program Coordinator . . . it will be at a focal point of the facility that will be accessible to everyone. Each office will be designed and equipped to be functional to meet the needs of each department.

Coping Room

This room will be large enough to equip the standard items needed and storage area for supplies and work table.

· Conference Room

This room will be large for staff meetings & board meetings.

Bathrooms (Men & Women)

Bathrooms in this area will be used by office staff and people attending meetings in this area. In each bathroom there will be one(1) regular toilet and basin and one(1) handicap toilet and basin. This would meet the needs to everyone.

· Janitor Closet

This will be next to the bathrooms in this section. It will be equipped with mop wash box and area for storage for mops and brooms and cleaning supplies.

***The overall design objectives are to create functional spaces that will meet the needs of everyone and at the same time be able to be easily cleaned, easy to maintain, cost effective for the various services that the company want to provide.

Drive Way & Drop Off/Pick-Up Area

The outside area will have a semi-circle driveway that will provide safe and easy drop-off and pick-up. Drop off & pick-up area will be covered to protect clients from Hilo's rain. Walkway into buildings will be covered to protect clients and visitors form the elements.

· Parking Spaces

Parking stalls for both handicap parking and regular parking will be designed to be strategically placed to make it easily accessible and yet safe from traffic.

- ** Staff & Volunteer parking stalls will be regular stalls that will be placed on either side of buildings were staff work. Estimate stalls needed = 15 each side.
- ** Client & Visitor parking will be in the front off to the side of the overhead drive-through. Estimate stalls needed for each side = handicap parking-4 and regular parking-20 each side.

Entire center will be designed to be self-contained. Perimeter will be fenced.

Project Description

Phase II

Respite Home Unit

This unit could be built towards the side of the day center or towards the back of the building depending on the land area configureration.

This unit will be designed as a four(4) bedroom home with typical the bedrooms will be large enough that two people could share a bedroom. It will also have the following:

- a room that will serve as office and rest area for staff on duty.
- · Living room
- Dinning room
- Lounge area
- Kitchen
- Laundry room

This home will be used primarily for overnight short stay respite care. This unit is much needed because so many caregivers don't have any place to leave their loved ones when they want to go on a weekend away or a one week vacation. Respite time for the caregivers are so important so they can re-engerize and continue the caregiving. Due to the continue increase of the older population there are only a very limited bed space at Life Care and very seldom do any private care homes take respite clients. More and more we will see the increase in need for respite homes.

DEPARTMENT OF THE ARMY



U. S. ARMY ENGINEER DISTRICT, HONOLULU FT. SHAFTER, HAWAII 96858-5440

REPLY TO ATTENTION OF

April 3, 2006

Regulatory Branch

File No. POH-2006-131

Mr. Harry Yada
District Land Agent
Land Division
Hawaii Department of Land and Natural Resources
75 Aupuni Street, Room 204
Hilo, Hawaii 96720

Dear Mr. Yada:

HILO MARIAN

This responds to your request for comments for the proposed transfer of land management to the County of Hawaii at Piihonua, South Hilo District, Hawaii Island (TMK (3) 2-3-031: por. 01, 5 acres). We have reviewed the information submitted under the Corps' authority to issue Department of the Army (DA) permits pursuant to Section 404 of the of the Clean Water Act (CWA) (33 USC 1344) and Section 10 of the Rivers and Harbors Act of 1899 (RHA) (33 USC 403). Based on the information provided and our records, I have determined that the action to grant the transfer and subsequent lease does not involve ground disturbing activities which involve either excavation of sediments or discharge of dredged or fill material into off-site jurisdictional waters of the United States (i.e. Wailoa Flood Control Drainageway). Therefore, a DA permit will not be required for this proposed administrative transfer. This determination does not excuse the applicant from complying with other federal, state, or county permits, certifications or requirements which may be required.

In the future, if the County of Hawaii property management program or Hawaii Island Adult Day Care, proposes activities in, adjacent to, or over jurisdictional waters (namely, any portion of the Wailoa Flood Control Drainageway system) which require excavation, dredging, or the placement of dredged or fill material, consultation should take place with Mr. Farley Watanabe of our Regulatory Branch at 808-438-7701 to determine if a DA permit may then be required. Please refer to the file umber above if the Hawaii County or Hawaii Island Adult Day Care will need additional clarification or information.

Sincerely,

George P. Young, P.E.

Chief, Regulatory Branch

Copy Furnished:

Denis R. Lau, Clean Water Branch, State Department of Health, POB 3378, Honolulu, HI 96801 John Nakagawa, Office of Planning, Coastal Zone Management, POB 2359, Honolulu, HI 96804

Harry Kim

Mayor



County of Hawaii PLANNING DEPARTMENT

101 Pauahi Street, Suite 3 • Hilo, Hawaii 96720-3043 (808) 961-8288 • FAX (808) 961-8742

Christopher J. Yuen

Director

Brad Kurokawa, ASLA LEED® AP

Deputy Director

March 29, 2006

Mr. Harry Yada
District Land Agent
Department of Land and Natural Resources
Land Division
75 Aupuni Street, Room 204
Hilo, Hawaii 96720

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Dear Mr. Yada:

Subject:

Set Aside for Adult Day Care and Other Related Community

Purposes

(Ref. No.: 06HD-068)

Applicant:
Land Owner:

County of Hawaii State of Hawaii

Location:

Piihonua, South Hilo, Hawaii; TMK: (3) 2-3-031:Portion 001

This is in response to your memorandum dated March 16, 2006 requesting our review and comments on the subject request. We appreciate having the opportunity to comment on this request.

We understand that the County of Hawaii through its Office of Aging is requesting a set aside of five (5) acres of the subject 11.61-acre parcel, which it intends to lease on a long-term basis to Hawaii Island Adult Day Care (HIADC), a non-profit adult day care provider. HIADC is licensed by the State of Hawaii to accommodate 105 clients in its adult day care center at its current facility in the old Hilo Hospital building located at 34 Rainbow Drive.

HIADC intends to secure funding for the construction of a new adult day care facility on the subject property that will consist of three modules that will allow for a wide range of services and activities for elderly adults who are physically or mentally challenged, including individuals inflicted with dementia or Alzheimers.

HIADC also indicates a proposed second phase to their operations that would include the construction of a "respite home unit" where clients could stay overnight for short stays to allow

Mr. Harry Yada DLNR-Land Division Page 2 March 31, 2006

primary caregivers respite time. This facility is described as a four (4) bedroom single-family dwelling in which each bedroom could accommodate two overnight clients. Depending on the State of Hawaii licensing provisions under which HIADC intends to operate the "Respite Home Unit" it may be defined as either a "Care Home" or a "Group Living Facility" under Chapter 25, Hawaii County Code (HCC).

The subject 11.61-acre parcel is zoned Single-Family Residential (RS-10) by the County of Hawaii and is situated in the State Land Use Urban district.

Based on the above and the subject application, we have the following comments to offer for your consideration.

Pursuant to §23-76, HCC (Subdivision Code), no land shall be offered for sale, lease or rent prior to final subdivision approval for recordation of the final plat map by the Planning Director. Therefore, subdivision of the subject parcel will be necessary prior to creating a lease for any portion of the property. The DLNR has indicated that the Applicant (County of Hawaii) shall be responsible for securing final subdivision approval at its own cost.

Section 25-1-5 of the HCC (Zoning Code) provides the following definitions:

- (21) "Care home" means a facility which is approved by the state pursuant to chapter 346, part IV or part VIII, Hawaii Revised Statutes, as amended, to provide living accommodations and general or rehabilitative care in homes with not more than one kitchen, to accommodate unrelated children or elderly, handicapped, or disabled adults. The term includes adult residential care homes, group child care homes and other facilities for children, elderly, handicapped, developmentally disabled and totally disabled.
- (33) "Day care center" means a facility which is licensed or approved by the State, pursuant to chapter 346, part IV or part VIII, Hawaii Revised Statutes, as amended, where persons who are not members of the family occupying the premises are cared for without overnight accommodations. This term includes day nurseries, preschools, and kindergartens which are not licensed by the state department of education and adult day care centers.
- (54) "Group living facility" means a facility described under section 46-4, Hawaii Revised Statutes, as amended, which is licensed or approved by the state as an adult residential care home under section 321-15.6, Hawaii Revised Statutes, or as an intermediate care facility/mental retardation community (ICFIMR-C) for persons including mentally ill, who are not related to the home operator or facility staff.

Pursuant to §25-5-3(b)(2) and (5) "care homes" and "day care centers" may be permitted uses in the RS district provided that a use permit is issued for each use. However, §25-5-3(a)(7)

Mr. Harry Yada DLNR-Land Division Page 3 March 31, 2006

included "group living facilities" among the permitted uses in the RS district.

Compliance with the environmental requirements of Chapter 343, HRS, will be required prior to any of the following:

- 1. Acceptance by the Planning Department of any application for subdivision;
- 2. Engaging in a lease agreement for any portion of the subject parcel or;
- 3. Acceptance by the Planning Department of any application for a Use Permit that is necessary to allow for any of the proposed uses.

Should you have questions, please feel welcome to contact Larry Brown or Esther Imamura of my staff at 961-8288.

Sincerely,

CHRISTOPHER J. YUEN

Planning Director

LMB:cd

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DEPARTMENT OF PUBLIC WORKS

COUNTY OF HAWAII HILO HAWAII

Memorandum

Date

March 22, 2006

To

HARRY YADA, District Land Agent

From

BRUCE C. McCLURE, Director DPW

SUBJECT:

SET ASIDE FOR ADULT DAY CARE & OTHER

RELATED COMMUNITY PURPOSES

Piihonua, South Hilo, Hawai'i Tmk 3rd Div.: 2-3-031: Por 001

We have reviewed the proposed action and have the following comments:

- 1. Waiau Street adjacent to the subject property is a one-lane road. If it is to be used as access, it should be widened to allow for 2-way traffic. Other related improvements including the addition of shoulders, roadside drainage, driveway adjustments will also be required.
- 2. Waianuenue Avenue fronting the project should be widened and improved with curb, gutters and sidewalk.
- 3. A 20-feet minimum corner radii shall be provided at the Waiau/Waianuenue intersection.

Should you have any questions please contact Galen Kuba at x8422.

c: Eng